

HEALTH PROFESSIONS

Namibia Nursing Association Act 28 of 1993

Summary: This Act ([GG 762](#)) establishes a nursing association for Namibia and defines its powers.

Repeals: The Act repeals the Nursing Association of South West Africa Act 14 of 1979 ([OG 4035](#)), which in turn repealed sections 30-40 of the *Nursing Act 69 of 1957* as amended.

Savings: Section 13(2) contains a savings clause:

Any regulation or rule made or deemed to have been made under the provisions of the Act referred to in subsection (1) shall, unless inconsistent with the provisions of this Act, be deemed to be a rule made under the corresponding provisions of this Act.

The repealed Nursing Association of South West Africa Act 14 of 1979 also contained a savings clause in section 13(2) in respect of regulations made under the *Nursing Act 69 of 1957*:

Any regulation or rule made under any provision of an Act repealed by subsection (1) [which repealed sections 30-40 of the *Nursing Act 69 of 1957* as amended], shall, unless inconsistent with the provisions of this Act, be deemed to be a rule made under the corresponding provisions of this Act.

Regulations: The following regulations made under the Nursing Association of South West Africa Act 14 of 1979 appear to survive:

Regulations for the election of members of the management board are contained in General Notice 1/1980 ([OG 4264](#)).¹⁵⁴

Regulations regarding the administration of the affairs of the Association are contained in General Notice 2/1980 ([OG 4264](#)) as amended by General Notice 28/1982 ([OG 4685](#)) and by General Notice 32/1988 ([OG 5516](#)).¹⁵⁵

These two regulation sets both repealed South Africa regulations covering similar topics. (The surviving regulations under the *Nursing Act 69 of 1957* are listed below under the entry for the Nursing Act 8 of 2004, which repealed the *Nursing Act 69 of 1957* in its entirety.)

No regulations have been issued under the current Act.

Council for Health and Social Services Professions Repeal Act 3 of 2004



Summary: This Act ([GG 3241](#)) repeals the Council for Health and Social Services Professions Act 29 of 1993 ([GG 763](#)), and provides for the transfer of moneys standing to that Council's credit. It was brought into force on 10 January 2005 by GN 6/2005 ([GG 3369](#)).

¹⁵⁴ These regulations withdraw the regulations in RSA GN R.1321/1963.

¹⁵⁵ These regulations withdraw the regulations in RSA GN R.1741/1972.

Social Work and Psychology Act 6 of 2004

Summary: This Act ([GG 3246](#)) provides for the establishment and constitution of a professional council for social workers and psychologists. It also regulates the social work and psychology professions. It was brought into force on 1 October 2004 by GN 211/2004 ([GG 3291](#)).

Repeals: The Act repeals the Allied Health Services Professions Act 20 of 1993 ([GG 710](#)) *insofar as it relates to these professions* and the whole of the Social and Social Auxiliary Workers Professions Act 22 of 1993 ([GG 712](#)).

Amendments: Act 12/2018 ([GG 6705](#)) amends the Act to make provision for the appointment of members of the Social Work and Psychology Council.

Savings: Section 62 includes a savings clause and some related deeming provisions:

(2) Except as otherwise provided in section 61, any notice, regulation, rule, authorisation or order issued, made or granted, or any removal from a register, appointment or any other act done, or regarded to have been issued, made, granted or done under or in terms of any provision of any of the laws repealed by subsection (1), must be regarded as having been issued, made, granted or done in terms of the corresponding provision of this Act and continues to have force and effect -

(a) unless if it is inconsistent with this Act; or

(b) until such time as it is set aside or repealed.

(3) For the purposes of subsection (2), the rules referred to in that subsection relating to improper conduct or misconduct must be construed as a reference to rules relating to unprofessional conduct made in terms of this Act.

(4) Any reference to the former Social and Social Auxiliary Workers' Board or former Clinical Psychology Board in any law must be regarded, unless the context otherwise indicates, to be a reference to the Council.

The Social Auxiliary Workers Professions Act 22 of 1993 repealed by this Act contained a savings clause in section 52 which stated:

Any notice, regulation, rule, authorization, order or approval issued, made or granted or any appointment or any other thing done in terms of a provision of the National Welfare Act, 1965, prior to the amendment of that Act by the National Welfare Amendment Act, 1993, and which may or is required to be issued, made, granted or done under this Act, shall be deemed to have been issued, made, granted or done under the corresponding or allied provision of this Act.

Regulations and rules: Prior to independence, regulations on the Registration of Social Workers were made in terms of the *National Welfare Act 79 of 1965* (which is still in force in Namibia) in RSA GN R.1363/1973 (RSA GG 3994). These regulations were made explicitly applicable to SWA, and amended prior to the relevant date of transfer by RSA GN R.2138/1974 (RSA GG 4512) and by RSA GN R.105/1976 (RSA GG 4965). Although no repeal of these regulations has been located in respect of Namibia, the underlying provisions of the *National Welfare Act 79 of 1965* on the registration of social workers (sections 33-37 and the portions of section 42 pertaining to regulations on social workers) were repealed by the National Welfare Amendment Act 9 of 1993 ([GG 692](#)) – meaning that there is no longer any authority for these regulations.

Post-independence regulations and rules relating to social work or psychology issued under the repealed laws which have not been explicitly repealed include the following:

- **Qualifications for registration with the Clinical Psychology Board**, contained in GN 36/2002 ([GG 2704](#)), issued under the Allied Health Services Professions Act 20 of 1993.
- **Regulations relating to the election of members to the Clinical Psychology Board** are contained in GN 215/1999 ([GG 2214](#)), issued under the Allied Health Services Professions Act 20 of 1993. (As explained below, it appears that GN 142/2006 intended to withdraw this notice.)
- **Regulations relating to the election of members to the Social and Social Auxiliary Workers' Board** are contained in GN 229/1999 ([GG 2214](#)), issued under the Social and Social Auxiliary Workers Professions Act 22 of 1993. (As explained below, it appears that GN 142/2006 intended to withdraw this notice.)

Regulations and rules issued under the current Act are as follows:

Psychologists: Regulations relating to psychologists are contained in GN 32/2007 and 33/2007 ([GG 3795](#)).¹⁵⁶ Regulations relating to the scope of practice of clinical psychologists and educational psychologists are contained in GN 30/2009 ([GG 4218](#)), as amended by GN 36/2021 ([GG 7473](#)). Regulations relating to the scope of practice of psychological counsellors are contained in GN 31/2009 ([GG 4218](#)), as amended by GN 11/2021 ([GG 7453](#)). Regulations relating to additional examinations in respect of various categories of psychologists are contained in GN 50/2011 ([GG 4699](#)). Regulations relating to the scope of practice of specialist psychologists are contained in GN 58/2014 ([GG 5453](#)). Regulations relating to minimum requirements of study for psychologists are contained in GN 25/2015 ([GG 5680](#)), which withdraws GN 32/2007 ([GG 3795](#)).

Social workers: Regulations on additional examinations that may be conducted in respect of social workers and social auxiliary workers are contained in GN 230/2010 ([GG 4581](#)). Regulations on the scope of practice of social workers, social auxiliary workers and students are contained in GN 14/2011 ([GG 4656](#)). Regulations relating to the minimum requirements for registration as a social worker are contained in GN 118/2016 ([GG 6030](#)), which replaces GN 34/2007 ([GG 3795](#)). Regulations relating to the registration of social workers, specialities and additional qualifications, the maintaining of registers of social workers and the restoration of a name to a register are contained in GN 119/2016 ([GG 6030](#)).

Social auxiliary workers: Regulations relating to the minimum requirements for registration as a social auxiliary worker are contained in GN 133/2018 ([GG 6644](#)).

Appeals: Regulations relating to appeals and the conducting of appeals by the Appeal Committee of the Council are contained in GN 66/2009 ([GG 4245](#)).

Impaired persons: Regulations relating to Impaired Registered Persons are contained in GN 301/2013 ([GG 5340](#)).

General: Regulations relating to the registration of students of social work and psychology are contained in GN 32/2009 ([GG 4218](#)).

Regulations concerning allowances payable to members of the Council are contained in GN 294/2015 ([GG 5899](#)), which withdraws GN 151/2008 ([GG 4068](#)).

Regulations relating to continuing professional development are contained in GN 91/2010 ([GG 4482](#)).

Regulations on the maximum fine that may be imposed by the Council or the Professional Conduct Committee are contained in GN 19/2018 ([GG 6527](#)), which repeals GN 157/2014 ([GG 5559](#)).

Note that GG 6527 was initially numbered incorrectly as GG 6528. A corrected version was subsequently issued.

Regulations relating to the investigation of alleged unprofessional conduct by registered persons and professional conduct inquiries are contained in GN 138/2015 ([GG 5778](#)).

Professional Conduct Rules applicable to registered persons are contained in General Notice

¹⁵⁶ GN 32/2007 withdraws GN 36/2002. GN 33/2007 withdraws the rules and regulations published in RSA GN R.2330/1976, RSA GN R.821/1977, and RSA GN R.1859/1977, R.1860/1977 and R.1861/1977.

90/2023 ([GG 8044](#)).¹⁵⁷

Regulations relating to conditions subject to which registered persons may conduct practices relating to their professions are contained in GN 255/2023 ([GG 8175](#)).

Registration fees: Fees payable to the Social Work and Psychology Council are contained in General Notice 597/2023 ([GG 8220](#)), which repeals General Notice 496/2020 ([GG 7410](#)).¹⁵⁸

Appointments and elections: Note that section 4(1) of this Act states:

The Council [the Social Work and Psychology Council of Namibia] is for all purposes the successor to the former Social and Social Auxiliary Workers' Board and the former Clinical Psychology Board.

As noted above, regulations relating to the election of members to the **Social and Social Auxiliary Workers' Board** are contained in GN 229/1999 ([GG 2214](#)). (As explained in the footnote below, it appears that GN 142/2006 intended to withdraw this notice.)

The **Clinical Psychology Board** was established under the Allied Health Services Professions Act 20 of 1993 by GN 146/1994 ([GG 910](#)). Members are named in GN 38/1995 ([GG 1029](#)), GN 353/1999 ([GG 2242](#)) and GN 88/2000 ([GG 2304](#)).

An **Interim Council** was established by GN 217/2004 ([GG 3293](#)). Regulations relating to the first election of members to the **Social Work and Psychology Council of Namibia** are contained in GN 142/2006 ([GG 3691](#)). GN 26/2007 ([GG 3795](#)) states in the heading that it contains "regulations", but it is in fact an invitation for nominations for social workers and psychologists eligible as candidates for election.¹⁵⁹

The first Social Work and Psychology Council is announced in GN 62/2008 ([GG 4008](#)), replacing the Interim Council established by GN 217/2004. The terms of office of certain Council members were extended by GN 223/2012 ([GG 5023](#)), GN 68/2013 ([GG 5060](#)), GN 255/2013 ([GG 5303](#)), GN 31/2014 ([GG 5425](#)), GN 150/2014 ([GG 5559](#)), GN 193/2015 ([GG 5818](#)), GN 220/2016 ([GG 6125](#)) and GN 59/2017 ([GG 6263](#)).

Subsequent to amendments to the Act to provide for the appointment of Council members, appointments are announced in GN 298/2018 ([GG 6770](#)).

¹⁵⁷ These rules repeal the rules relating to acts or omissions constituting improper conduct or misconduct in respect of which the Clinical Psychology Board may conduct inquiries and take disciplinary steps issued under the Allied Health Services Professions Act 20 of 1993 in GN 219/2001 ([GG 2637](#)).

¹⁵⁸ General Notice 496/2020 ([GG 7410](#)) repeals General Notice 488/2019 ([GG 7061](#)). General Notice 488/2019 repeals General Notice 498/2017 ([GG 6489](#)), which repeals General Notice 353/2013 ([GG 5281](#)), which in turn withdraws both General Notice 68/2007 ([GG 3804](#)) and General Notice 310/2010 ([GG 4600](#)).

¹⁵⁹ GN 142/2006 ([GG 3691](#)) and GN 26/2007 ([GG 3795](#)), which pertain to the first election of the Social Work and Psychology Council, both withdraw "Government Notices Nos. 215 and 229 of 20 October 2004". However, there were no Government Notices with these numbers gazetted on that date.

GN 215/2004 ([GG 3291](#)) was gazetted on 1 October 2004 and is concerned with the commencement of the Medical and Dental Act 2004. GN 229/2004 ([GG 3302](#)) was gazetted on 21 October 2004 and is concerned with the final deregistration of companies. It is unlikely that the regulations intended to withdraw either of these provisions.

It is possible that GN 215/1999 ([GG 2214](#)) was intended for repeal, instead of GN 215/2004. This is because GN 215/1999 is concerned with regulations relating to the election of members to the Clinical Psychology Board under the Allied Health Services Professions Act 1993. This is relevant to the subject matter of GN 142/2006 ([GG 3691](#)) and GN 27/2007 ([GG 3795](#)).

For the same reason it is likely that GN 229/1999 ([GG 2214](#)) was intended for repeal instead of GN 229/2004, since it is concerned with regulations relating to the election of members to the Social and Social Auxiliary Workers' Board under the Social and Social Auxiliary Workers' Professions Act 1993.

However, since there are no government notices which match both the indicated numbers and dates given, the withdrawals are presumably legally ineffective.

Cases: *CS v CS* 2018 (4) NR 973 (HC) (section 17: the practice of a clinical psychologist includes reporting and testifying in a court as an expert; therefore, a clinical psychologist from outside Namibia must be registered under this Act before being allowed to provide expert testimony).

Additional information: The Health Professions Councils of Namibia (HPCNA), which includes the Social Work and Psychology Council, publishes *Ethical Guidelines for Health Professionals*. The HPCNA also investigates complaints from the public against individual health practitioners. See www.hpcna.com.

Allied Health Professions Act 7 of 2004

Summary: This Act ([GG 3247](#)) provides for the establishment of a professional council for allied health service professions. It also defines and provides for the registration, training and qualifications of members of such professions, and prohibits unregistered persons from practising such professions. It was brought into force on 1 October 2004 by GN 212/2004 ([GG 3291](#)).

Repeals: The Act repeals all remaining portions of the Allied Health Services Professions Act 20 of 1993 ([GG 710](#)) which repealed the *Chiropractors Act 6 of 1971* and the *Homeopaths, Naturopaths, Osteopaths and Herbalists Act 52 of 1974*.

Amendments: Act 8/2018 ([GG 6701](#)) amends the Act to make provision for the appointment of members of the Allied Health Professions Council.

Applicability of law: The Act has been made applicable to the following professions:

- orthopaedic technologists and orthopaedic technicians – GN 157/2005 ([GG 3535](#))

- several health professions – GN 100/2006 ([GG 3661](#))

- Medical Technologists (Blood Transfusion Technology); Medical Technologists (Chemical Pathology); Medical Technologists (Clinical Pathology); Medical Technologists (Cytogenetics); Medical Technologists (Cytotechnology); Medical Technologists (Forensic Pathology); Medical Technologists (Haematology); Medical Technologists (Histopathological Technique); Medical Technologists (Immunology); Medical Technologists (Microbiology); Medical Technologists (Pharmacology); Medical Technologists (Virology); Blood Transfusion Technicians; Chemical Pathology Technicians; Haematology Technicians; Histopathology Technicians; Microbiology Technicians; Cytotechnicians; Clinical Pathology Technicians

- medical orthotists and prosthetists – GN 2/2007 ([GG 3771](#))

- ultrasound radiography and nuclear medicine radiography – GN 147/2009 ([GG 4302](#))

- emergency care technicians – GN 12/2010 ([GG 4419](#))

- art therapy, music therapy, dance movement therapy and drama therapy – GN 254/2012 ([GG 5060](#))

- medical laboratory scientists – GN 87/2013 ([GG 5173](#))

- traditional Chinese medicine practitioners – GN 101/2013 ([GG 5183](#))

- acupuncturists – GN 102/2013 ([GG 5183](#))

- dental technologists – GN 103/2013 ([GG 5183](#))

- sonographers and sonography technicians – GN 124/2014 ([GG 5533](#))

- phlebotomy technicians – GN 117/2015 ([GG 5760](#))

- Unani Tibb Practitioner – GN 209/2015 ([GG 5831](#))

- Combat Medic – GN 279/2015 ([GG 5892](#))

- emergency practitioner assistants – GN 119/2018 ([GG 6627](#))

- medical orthotics and prosthetics technologists, and medical orthotics and prosthetics assistants – GN 161/2019 ([GG 6932](#)).

Savings: Section 62 includes a savings clause and some related provisions regarding how certain references should be construed:

(2) Unless otherwise provided in this Act, any notice, regulation, rule, authorisation or order issued, made or granted, or any removal from the register or appointment made, or any other act done, or regarded to have been so issued, made, granted or done in terms of a provision of any of the laws repealed by subsection (1), must be regarded as having been issued, made, granted or done in terms of the corresponding provision of this Act, and continues to have force and effect -

- (a) unless it is inconsistent with this Act; or
- (b) until such time as it is set aside or repealed.

(3) For the purposes of subsection (2), the rules referred to in that subsection relating to improper conduct or misconduct must be construed as a reference to rules relating to unprofessional conduct made in terms of this Act.

(4) Any reference in any law to any of the former Boards referred to in section 61(5) must be regarded, unless the context otherwise indicates, to be a reference to the Council.

The Allied Health Services Professions Act 20 of 1993 contained a similar savings clause in section 50(2):

Any notice, regulation, rule, authorization or order issued, made or granted, or any registration, removal from a register, appointment or any other thing done in terms of a provision of any law repealed by subsection (1), or of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), or of the Health Service Professions Proclamation, 1989 (Proclamation AG. 70 of 1989), and which may or is required to be issued, made, granted or done in terms of this Act, shall be deemed to have been issued, made, granted or done under the corresponding or allied provision of this Act.

This provision would cover enactments under the *Chiropractors Act 6 of 1971* and the *Homeopaths, Naturopaths, Osteopaths and Herbalists Act 52 of 1974* as well as the *Medical, Dental and Supplementary Health Service Professions Act 56 of 1974* or the Health Service Professions Proclamation AG. 70 of 1989.

Note that section 4(1) of the current Act states:

The Council [Allied Health Professions Council of Namibia] is for all purposes the successor of the former Dental Technology Board, the former Health Inspectors Board, the former Homoeopathic Board, the former Medical Technology Board, the former Occupational Therapy Board, the former Optometry Board, the former Physiotherapy Board, the former Radiography Board, the former Joint Allied Health Professions Board, and the former Joint Complementary Health Professions Board.

Regulations made under repealed laws: Regulations made under previous laws which may survive under the current Act are detailed below, followed by a list of regulations made under the current Act.

(1) Regulations made under the *Chiropractors Act 6 of 1971* and the *Homeopaths, Naturopaths, Osteopaths and Herbalists Act 52 of 1974*: These have not been comprehensively researched, because chiropractors, naturopaths and osteopaths appear to be comprehensively regulated under the current Act. Herbalists are not specifically covered by the current law, but no pre-independence regulations relating to herbalists have been located.

(2) Regulations under the *Medical, Dental and Supplementary Health Services Professions Act 56 of 1974*: The administration of *Act 56 of 1974* was transferred to SWA by the Executive Powers (Health) Transfer Proclamation (AG 14/1977), dated 1 December 1977. The listed regulations were made prior to the date of transfer and have apparently not been repealed, but some appear to have been superseded by regulations issued under the current Act that cover the same issues.

Rules for the registration of specified health professionals are contained in [RSA GG 5349](#), listed alphabetically, as follows:

- Anaesthetist's Assistants - RSA GN R.2361/1976
- Audiometricians - RSA GN R.2365/1976
- Blood Transfusion Technicians - RSA GN R.2337/1976
- Chemical Pathology Technicians - RSA GN R.2341/1976
- Chiropodists - RSA GN R.2294/1976
- Diagnostic Radiographers - RSA GN R.2321/1976

Electro-Encephalographic Technicians - RSA GN R.2345/1976
 Food Inspectors - RSA GN R.2371/1976
 Health Assistants - RSA GN R.2349/1976
 Haematology Technicians - RSA GN R.2351/1976
 Histopathology Technicians - RSA GN R.2537/1976
 Interns - RSA GN R.2271/1976
 Microbiology Technicians - RSA GN R.2357/1976
 Optometrists - RSA GN R.2312/1976
 Orthopaedic Orthotists and Prosthetists - RSA GN R.2317/1976
 Supplementary Diagnostic Radiographers - RSA GN R.2335/1976
 Therapeutic Radiographers - RSA GN R.2322/1976.

Regulations relating to the scope of specified health professions are contained in [RSA GG 5349](#):

Occupational Therapy - RSA GN R.2291/1976, as amended by RSA GN R.1834/1977 ([RSA GG 5741](#))
 Optometry - RSA GN R.2315/1976, as amended by RSA GN R.1844/1977 ([RSA GG 5741](#))
 Radiography - RSA GN R.2326/1976.

Rules for the registration of additional qualifications are contained in [RSA GG 5349](#), listed alphabetically, as follows:

Chiropodists - RSA GN R.2295/1976
 Cyto-Technicians - RSA GN R.2369/1976
 Diagnostic and Therapeutic Radiographers - RSA GN R.2323/1976
 Health Inspectors - RSA GN R.2309/1976
 Occupational Therapists - RSA GN R.2288/1976 as amended by RSA GN R.1832/1977 ([RSA GG 5741](#)), GN 11/2010 ([GG 4419](#)) (which repeals the Rules published under RSA GN R.2288/1976 “insofar as those Rules are applicable to the qualifications required by a person for registration as an occupational therapist”) and GN 48/2010 ([GG 4443](#)) (which repeals the Rules published under RSA GN R.2288/1976 “insofar as those Rules are applicable to the registration of radiographers”)¹⁶⁰
 Orthoptists - RSA GN R.2363/1976
 Optometrists - RSA GN R.2313/76
 Orthopaedic Orthotists and Prosthetists - RSA GN R.2138/1976
 Podiatrists - RSA GN R.2295/1976.

Regulations relating to the conditions under which the following registered persons may practice their professions are contained in [RSA GG 5349](#), listed alphabetically, as follows:

Anaesthetist's Assistants - RSA GN R.2362/1976
 Audiometricians - RSA GN R.2366/1976
 Blood Transfusion Technicians - RSA GN R.2338/1976
 Chemical Pathology Technicians - RSA GN R.2342/1976
 Cyto-Technicians - RSA GN R.2370/1976
 Diagnostic Radiographers - RSA GN R.2324/1976

¹⁶⁰ Note that this reference appears to be in error. RSA GN R.2288/1976 deals with the registration of occupational therapists. In the same *Government Gazette*, there are three notices that deal with the registration of radiographers:

- RSA GN R.2321/1976 - Rules for the registration of diagnostic radiographers
- RSA GN R.2322/1976 - Rules for the registration of therapeutic radiographers
- RSA GN R.2335/1976 - Rules for the registration of supplementary diagnostic radiographers.

It is possible that the repeal intended to refer to one or all of these, since GN 48/2010 dealt with the registration of diagnostic radiographers, nuclear medicine radiographers, therapeutic radiographers, ultrasound radiographers and radiography assistants.

Dieticians - RSA GN R.2344/1976
 Electro-Encephalographic Technicians - RSA GG R.2346/1976
 Haematology Technicians - RSA GN R.2352/1976
 Health Assistants - RSA GN R.2350/1976
 Histopathology Technicians - RSA GN R.2354/1976
 Masseurs - RSA GN R.2356/1976
 Microbiology Technicians - RSA GN R.2358/1976
 Optical Dispensers - RSA GN R.2340/1976
 Oral Hygienists - RSA GN R.2360/1976
 Orthopaedic Orthotists and Prosthetists - RSA GN R.2319/1976
 Orthoptists, RSA GN R.2364/1976
 Remedial Gymnasts - RSA GN R.2368/1976
 Speech Therapists and Audiologists - RSA GN R.2334/1976
 Supplementary Diagnostic Radiographers - RSA GN R.2336/1976
 Therapeutic Radiographers - RSA GN R.2325/1976.

Regulations relating to the constitution, powers, functions and duties of professional boards for specified health professions are contained in [RSA GG 5349](#), listed alphabetically, as follows:

Health Inspectors - RSA GN R.2307/1976
 Medical Technology - RSA GN R.2303/1976
 Occupational Therapy - RSA GN R.2287/1976
 Optometry - RSA GN R.2311/1976
 Podiatry - RSA GN R.2293/1976
 Radiography - RSA GN R.2320/1976.

Regulations regarding acts or omissions in respect of which disciplinary steps may be taken by the Council and Professional Board in respect of specified health professions are contained in [RSA GG 5349](#) and [RSA GG 5741](#), listed alphabetically, as follows:

Health Inspectors - RSA GN R.2310/1976 ([RSA GG 5349](#))
 Masseurs - RSA GN R.1869/1977 ([RSA GG 5741](#))
 Medical Technology - RSA GN R.2306/1976 ([RSA GG 5349](#))
 Occupational Therapy - RSA GN R.2290/1976 ([RSA GG 5349](#)), as amended by RSA GN R.1833/1977 ([RSA GG 5741](#))
 Occupational Therapy Students - RSA GN R.1835/1977 ([RSA GG 5741](#))
 Optometry Students - RSA GN R.1845/1977 ([RSA GG 5741](#))
 Physiotherapy - RSA GN R.1838/1977 ([RSA GG 5741](#))
 Podiatry - RSA GN R.1836/1977 ([RSA GG 5741](#))
 Radiography - RSA GN R.1852/1977 ([RSA GG 5741](#))
 Radiographers (Student) - RSA GN R.1855/1977 ([RSA GG 5741](#))
 Speech Therapy and Audiology - RSA GN R.1867/1977 ([RSA GG 5741](#))
 Speech Therapists, Audiologists, etc - RSA GN R.1865/1977 ([RSA GG 5741](#)).

Regulations relating to the conduct of certain professional boards are contained in [RSA GG 5349](#).

Conduct of Business of Professional Boards - RSA GN R.2285/1976
 Conduct of the Business of the S.A. Medical and Dental Council and related matters - RSA GN R.2266/1976.

The surviving regulations in this category appear to have been superseded: (a) The boards relating to medical and dental issues appear to have been superseded by regulations issued under the Medical and Dental Act 10 of 2004, which repealed the Medical and Dental Professions Act 21 of 1993 as well as the Allied Health Services Professions Act 20 of 1993, insofar as it relates to the professions regulated by this Act. The Medical and Dental Professions Act 21 of 1993 in turn repealed the *Medical, Dental and Supplementary Health Service Professions Act 56 of 1974* and the Health

Service Professions Proclamation, AG 70 of 1989. (b) The Allied Health Professions Council of Namibia replaced more recent boards pertaining to other health professions in terms of section 4(1) of Act 7 of 2004, and regulations governing its operation have been issued under the current Act. Thus, the regulations on the conduct of business of professional boards, if not superseded, would appear to have no current relevance.

None of these regulations are included in the annotated laws database, since most of them appear to be obsolete. However, they are listed here in case some do have continued relevance.

(3) Regulations made under the Allied Health Services Professions Act 20 of 1993 which may be of continued relevance include the following:

Traditional healers: Regulations were made under the Allied Health Services Professions Act 20 of 1993 on election to the Traditional Healers Board, in GN 230/1999 ([GG 2214](#)). These regulations are not inconsistent with the current Act as traditional healers do not fall under the Allied Health Professions Council. However, they appear to be obsolete as that Board is no longer in existence. These regulations are not included in the annotated laws database.

Other allied health professions: Regulations for the election of members to other boards which are no longer in existence are not listed, even though not explicitly repealed, as these are clearly of no continued relevance. The same is true for registration fees payable to boards that no longer exist. These all appear to have been superseded by regulations on elections to the Allied Health Professions Council of Namibia, and registration fees payable to that Board.

Regulations made under the current Act: The regulations issued under the current Act are listed below, grouped by profession, in alphabetical order:

Acupuncturists: Minimum requirements of study for registration are contained in GN 324/2013 ([GG 5360](#)). Regulations relating to registration are contained in GN 325/2013 ([GG 5360](#)). Regulations on scope of practice are contained in GN 269/2019 ([GG 6999](#)).

Arts therapists: Regulations on minimum requirements of study for registration, registration and scope of practice are contained in GN 92/2017 ([GG 6287](#)).

Biokineticists: Minimum requirements for registration are contained in GN 105/2007 ([GG 3853](#)), and other regulations relating to biokineticists are contained in GN 106/2007 ([GG 3853](#)). Regulations relating to scope of practice are contained in GN 45/2010 ([GG 4443](#)).

Chinese medicine practitioner and acupuncturist: Regulations on minimum requirements of study, interns, scope of practice and additional qualifications are contained in GN 270/2019 ([GG 6999](#)).

Chiropractors: Regulations relating to the minimum requirements of study for registration are contained in GN 121/2010 ([GG 4502](#)). Regulations relating to additional examinations that may be conducted by the Council are contained in GN 120/2010 ([GG 4502](#)). Additional regulations pertaining to chiropractors are contained in GN 123/2010 ([GG 4502](#)). Regulations on scope of practice are contained in GN 336/2022 ([GG 7938](#)), which repeals GN 229/2010 ([GG 4581](#)).

Clinical technologists: Regulations relating to the minimum requirements of study for registration are contained in GN 274/2010 ([GG 4633](#)). Regulations on registration and additional qualifications are contained in GN 275/2010 ([GG 4633](#)). Regulations relating to scope of practice are contained in GN 385/2019 ([GG 7073](#)).

Combat medics: Regulations relating to minimum requirements of study and registration are contained in GN 36/2017 ([GG 6249](#)).

Dental technicians: Regulations relating to the minimum requirements of study for registration are contained in GN 30/2017 ([GG 6249](#)).¹⁶¹ Regulations relating to examinations that may be conducted by the Council are contained in GN 19/2010 ([GG 4426](#)). Regulations relating to registration are contained in GN 20/2010 ([GG 4426](#)).

Dental technologist: Regulations relating to the minimum requirements of study for registration are contained in GN 31/2017 ([GG 6249](#)).

Dental therapists: Regulations relating to the minimum requirements of study for registration, registration and scope of practice are contained in GN 138/2014 ([GG 5550](#)).

Dieticians: Regulations relating to the minimum requirements of study for registration as a dietician and the scope of practice of dieticians are contained in GN 329/2022 ([GG 7936](#)), which repeals the regulations in GN 67/2009 ([GG 4245](#))¹⁶² and GN 69/2009 ([GG 4245](#)). Regulations relating to additional examinations that may be conducted by the Council are contained in GN 68/2009 ([GG 4245](#)).

Emergency care practitioners and paramedics: Regulations relating to the minimum requirements of study for registration as an emergency care practitioner (basic) are contained in GN 136/2011 ([GG 4768](#)). Regulations relating to registration as an emergency care practitioner (basic) are contained in GN 139/2011 ([GG 4768](#)).

Regulations relating to the minimum requirements of study for registration as an emergency care practitioner (intermediate) are contained in GN 137/2011 ([GG 4768](#)). Regulations relating to registration as an emergency care practitioner (intermediate) are contained in GN 140/2011 ([GG 4768](#)).

Regulations relating to the minimum requirements of study for registration as a paramedic (advanced life support) are contained in GN 138/2011 ([GG 4768](#)). Regulations relating to registration as a paramedic (advanced life support), and registration of additional qualifications, are contained in GN 141/2011 ([GG 4768](#)).

Regulations relating to additional examinations that may be conducted by the Council in respect of these professions are contained in GN 135/2011 ([GG 4768](#)). Regulations relating to the scope of practice for emergency care professions are contained in GN 196/2018 ([GG 6690](#)).

Emergency care technicians: Regulations relating to the minimum requirements of study for registration are contained in GN 244/2018 ([GG 6716](#)).

Environmental health practitioners and assistants: Minimum requirements of study for registration as an environmental health practitioner are contained in GN 88/2014 ([GG 5501](#)).¹⁶³ Regulations relating to the scope of practice of environmental health practitioners are contained in GN 160/2014 ([GG 5559](#)). Regulations relating to the registration of environmental health practitioners and environmental health practitioner interns are contained in GN 139/2014 ([GG 5553](#)). Regulations on additional examinations to be conducted by the Council in respect of environmental health practitioners are contained in GN 143/2014 ([GG 5553](#)).

Minimum requirements of study for registration as an environmental health practitioner assistant are contained in GN 140/2014 ([GG 5553](#)). Regulations relating to the registration of

¹⁶¹ GN 30/2017 repeals GN 18/2010 ([GG 4426](#)).

¹⁶² These regulations withdraw the ones contained in RSA GN R.2343/1976 ([RSA GG 5349](#)).

¹⁶³ GN 88/2014 repeals the regulations published in RSA GN R.2308/1976 ([RSA GG 5349](#)).

environmental health practitioner assistants are contained in GN 141/2014 ([GG 5553](#)). Regulations relating to the scope of practice of environmental health practitioner assistants are contained in GN 142/2014 ([GG 5553](#)).

Hearing aid acousticians: Regulations relating to minimum requirements of study, interns, additional qualifications and registers are contained in GN 277/2015 ([GG 5884](#)). Regulations relating to scope of practice of hearing aid acousticians are contained in GN 10/2021 ([GG 7453](#)).

Homeopaths: Minimum requirements of study for registration are contained in GN 74/2011 ([GG 4730](#)). Regulations relating to the registration of homeopaths and homeopathy interns, and additional qualifications in this field, are contained in GN 75/2011 ([GG 4730](#)). Regulations relating to scope of practice are contained in GN 211/2015 ([GG 5831](#)).

Medical laboratory technicians and scientists: Regulations relating to medical laboratory technicians are contained in GN 28/2007 and 29/2007 ([GG 3795](#)). Regulations relating to the minimum requirements of study for registration as a medical laboratory scientist are contained in GN 295/2015 ([GG 5899](#)). Regulations relating to the registration of medical laboratory scientists and additional qualifications are contained in GN 296/2015 ([GG 5899](#)). Regulations on the scope of practice of medical laboratory scientists are contained in GN 319/2023 ([GG 8222](#)).

Medical orthotists and prosthetists: Regulations relating to the minimum requirements of study for registration, interns and additional qualifications are contained in GN 360/2019 ([GG 7059](#)).¹⁶⁴ Regulations relating to the scope of practice are contained in GN 129/2022 ([GG 7794](#)).

Medical orthotics and prosthetics assistants: Regulations relating to minimum requirements of study, registration and scope of practice for medical orthotics and prosthetics assistants are contained in GN 37/2021 ([GG 7473](#)).

Medical orthotists and prosthetists technologists: Regulations relating to minimum requirements of study, registration and scope of practice for medical orthotics and prosthetics technologists are contained in GN 190/2021 ([GG 7633](#)).

Medical rehabilitation workers: Minimum requirements of study for registration are contained in GN 152/2008 ([GG 4068](#)). Regulations relating to registration are contained in GN 153/2008 ([GG 4068](#)).

Medical technologists: Regulations relating to medical technologists are contained in GN 35-36/2007 ([GG 3795](#)).¹⁶⁵ Regulations on scope of practice are contained in GN 87/2012 ([GG 4913](#)).

Naturopaths: Minimum requirements of study for registration as a naturopath are contained in GN 73/2011 ([GG 4730](#)). Regulations relating to the registration of naturopaths and naturopathy interns, and additional qualifications in this field, are contained in GN 76/2011 ([GG 4730](#)). Regulations relating to the scope of practice of a naturopath are contained in GN 351/2022 ([GG 7951](#)), which repeals GN 90/2014 ([GG 5503](#)).

Nutritionists: Regulations relating to scope of practice are contained in GN 208/2016 ([GG 6114](#)). Regulations relating to minimum requirements of study for registration are contained in GN 184/2017 ([GG 6367](#)).

Occupational therapists: Minimum requirements of study for registration as an occupational

¹⁶⁴ GN 360/2019 repeals the regulations contained in RSA GN R.1846/1977 ([RSA GG 5741](#)).

¹⁶⁵ GN 35/2007 withdraws RSA GN R.2305/1976 ([RSA GG 5349](#)), and GN 36/2007 withdraws RSA GN R.2304/1976 ([RSA GG 5349](#)).

therapist are contained in GN 7/2010 ([GG 4411](#)). Regulations relating to the registration of occupational therapists, occupational therapy interns, specialities and additional qualifications are contained in GN 72/2014 ([GG 5477](#)).¹⁶⁶ Regulations on additional examinations for conditionally-registered occupational therapists are contained in GN 156/2010 ([GG 4530](#)).

Ocularists: Minimum requirements of study for registration are contained in GN 149/2008 ([GG 4068](#)). Regulations relating to registration are contained in GN 154/2008 ([GG 4068](#)).

Optometrists: Minimum requirements of study for registration are contained in GN 173/2009 ([GG 4332](#)). Regulations relating to registration are contained in GN 174/2009 ([GG 4332](#)). Additional examinations which may be conducted by the Council are addressed in GN 175/2009 ([GG 4332](#)). Regulations on scope of practice are contained in GN 104/2011 ([GG 4752](#)).

Opticians: Minimum requirements of study for registration as a dispensing optician are contained in GN 276/2010 ([GG 4633](#)).¹⁶⁷ Additional regulations are contained in GN 277/2010 ([GG 4633](#)). Regulations on the scope of practice of dispensing opticians are contained in GN 105/2011 ([GG 4752](#)).

Orthoptists: Regulations relating to the minimum requirements of study for registration are contained in GN 106/2011 ([GG 4752](#)). Regulations relating to registration and additional qualifications are contained in GN 107/2011 ([GG 4752](#)).

Osteopaths: Regulations relating to scope of practice are contained in GN 20/2023 ([GG 8028](#)), which replaces GN 89/2014 ([GG 5502](#)). Minimum requirements of study and registration are covered in GN 172/2014 ([GG 5569](#)).

Phlebotomy technicians: Regulations relating to minimum requirements of study and registration are contained in GN 37/2017 ([GG 6249](#)).

Physiotherapists: Regulations relating to the registration of physiotherapists, specialities, additional qualifications and interns are contained in GN 31/2007 ([GG 3795](#)). Additional examinations which may be conducted by the Council are addressed in GN 148/2009 ([GG 4302](#)). Regulations on scope of practice are contained in GN 122/2010 ([GG 4502](#)). Regulations relating to the minimum requirements of study for registration are contained in GN 228/2010 ([GG 4581](#)).¹⁶⁸

¹⁶⁶ GN 72/2014 replaced the regulations in GN 11/2010 ([GG 4419](#)), which repealed the Rules published in RSA GN R.2288/1976 ([RSA GG 5349](#)) “insofar as those Rules are applicable to the qualifications required by a person for registration as an occupational therapist”.

¹⁶⁷ GN 276/2010 repeals the rules published under Government Notice R.2339/1976 ([RSA GG 5349](#)).

¹⁶⁸ GN 30/2007 withdraws regulation 27 published in GN 49/1997. GN 31/2007 withdraws regulation No. 26 of PART IV, the whole of PART V and the whole of PART VI of the regulations in GN 49/1997 and “regulation No. 224 of 7 November 2005”.

The reference in GN 31/2007 to “regulation No. 224 of 7 November 2005” must be wrong. There was no *Government Gazette* published on that date. GN 224/2005 ([GG 3498](#)) was published on 15 September 2005 and is concerned with charges and fees regarding the control of outdoor advertising in Walvis Bay. The regulations published in GN 49/1997 do not contain a regulation numbered 224. It is therefore unclear which regulation was intended to be withdrawn.

Regulations relating to the registration of physiotherapists and to the Physiotherapists Board were contained in GN 49/1997 ([GG 1526](#)). Portions of GN 49/1997 were deleted by GN 30/2007 ([GG 3795](#)) (which has since been repealed) and by GN 31/2007 ([GG 3795](#)). The only remaining portion of this set of regulations concerns the Physiotherapy Board and fees payable to that Board. The Physiotherapy Board has been replaced by the Allied Health Professions Council of Namibia; the regulations concerning the Physiotherapy Board have not been explicitly repealed, but they appear to have been superseded by regulations relating to the Allied Health Professions Council of Namibia.

Phytotherapists: Minimum requirements of study for registration as a phytotherapist are contained in GN 72/2011 ([GG 4730](#)). Regulations relating to the registration of phytotherapists and interns, and additional qualifications in this field, are contained in GN 77/2011 ([GG 4730](#)). Regulations relating to the scope of practice of phytotherapists are contained in GN 327/2022 ([GG 7934](#)), which repeals GN 212/2015 ([GG 5831](#)).

Radiographers: Regulations relating to minimum requirements of study for registration as a **diagnostic radiographer**, additional qualifications, registers and scope of practice are contained in GN 312/2020 ([GG 7411](#)).¹⁶⁹

Regulations relating to minimum requirements of study for registration as a **radiography assistant** and scope of practice are contained in GN 313/2020 ([GG 7412](#)).

Regulations relating to minimum requirements of study for registration as a **therapeutic radiographer**, additional qualifications, registers and scope of practice are contained in GN 314/2020 ([GG 7413](#)).

Regulations relating to minimum requirements of study for registration as a **nuclear medicine radiographer**, additional qualifications, registers and scope of practice are contained in GN 315/2020 ([GG 7414](#)).

Regulations relating to minimum requirements of study for registration as an **ultrasound radiographer or sonographer**, additional qualifications, registers and scope of practice are contained in GN 316/2020 ([GG 7415](#)).

Speech therapists and audiologists: Regulations relating to registration of these professionals and registration of additional qualifications are contained in GN 142/2011 ([GG 4768](#)). Minimum requirements of study for registration are contained in GN 143/2011 ([GG 4768](#)).¹⁷⁰ Regulations on the scope of practice are contained in GN 162/2023 ([GG 8102](#)).

Therapeutic aromatherapists: Minimum requirements of study for registration are contained in GN 291/2013 ([GG 5332](#)). Regulations relating to the registration of these professionals are contained in GN 292/2013 ([GG 5332](#)). Regulations on the scope of practice of therapeutic aromatherapists are contained in GN 293/2013 ([GG 5331](#)).

Therapeutic masseurs: Minimum requirements of study for registration are contained in GN 288/2013 ([GG 5331](#)). Regulations relating to the registration of these professionals are contained in GN 289/2013 ([GG 5331](#)). Regulations on the scope of practice of therapeutic masseurs are contained in GN 290/2013 ([GG 5331](#)).

¹⁶⁹ Minimum requirements of study for registration as a diagnostic radiographer, a nuclear medicine radiographer, a therapeutic radiographer, an ultrasound radiographer and a radiography assistant were originally contained in GN 47/2010 ([GG 4443](#)), and regulations relating to the registration of radiographers were originally contained in GN 48/2010 ([GG 4443](#)). However, both of these sets of regulations were repealed by GN 312/2020 ([GG 7411](#)).

GN 47/2010 repealed the Rules made under RSA GN R.1851/1977 ([RSA GG 5741](#)). GN 48/2010 repealed the Rules published under RSA GN R.2288/1976 ([RSA GG 5349](#)) “insofar as those Rules are applicable to the registration of radiographers”. Note that this reference appears to be in error RSA GN R.2288/1976 deal with the registration of occupational therapists. In the same *Government Gazette*, there are three notices that deal with the registration of radiographers:

- RSA GN R.2321/1976 - Rules for the registration of diagnostic radiographers
- RSA GN R.2322/1976 - Rules for the registration of therapeutic radiographers
- RSA GN R.2335/1976 - Rules for the registration of supplementary diagnostic radiographers.

It is possible that the repeal intended to refer to one or all of these, since GN 48/2010 dealt with the registration of diagnostic radiographers, nuclear medicine radiographers, therapeutic radiographers, ultrasound radiographers and radiography assistants.

¹⁷⁰ GN 143/2011 repeals the rules published under Government Notice R.2333/1976 ([RSA GG 5349](#)).

Therapeutic reflexologists: Minimum requirements of study for registration are contained in GN 294/2013 ([GG 5333](#)). Regulations relating to the registration of these professionals are contained in GN 295/2013 ([GG 5333](#)). Regulations on the scope of practice of therapeutic reflexologists are contained in GN 296/2013 ([GG 5333](#)).

Impaired persons: Regulations relating to Impaired Registered Persons are contained in GN 302/2013 ([GG 5341](#)).

General: Regulations concerning **allowances payable to members of the Council** are contained in GN 292/2015 ([GG 5899](#)), which withdraws GN 148/2008 ([GG 4068](#)).

Regulations relating to **appeals and the conducting of appeals by the Appeal Committee of the Council** are contained in GN 161/2009 ([GG 4313](#)).

Regulations on **continuing professional development** are contained in GN 46/2010 ([GG 4443](#)).

Regulations governing the **return to practice after a period of not practising** are contained in GN 273/2010 ([GG 4633](#)).

Regulations on the **maximum fine that may be imposed by the Council or the Professional Conduct Committee** are contained in GN 60/2018 ([GG 6564](#)).¹⁷¹

Regulations relating to the **investigation of alleged unprofessional conduct by registered persons and professional conduct inquiries** are contained in GN 40/2015 ([GG 5690](#)).

Regulations relating to the **registration of students** are contained in GN 81/2017 ([GG 6282](#)).

Regulations on the **conditions subject to which registered persons may conduct professional practices** are contained in GN 197/2018 ([GG 6694](#)).

Rules: Professional Conduct Rules are contained in General Notice 387/2007 ([GG 3951](#)).

Registration fees: Fees payable to the Allied Health Professions Council are contained in General Notice 593/2023 ([GG 8220](#)), which repeals General Notice 495/2020 ([GG 7410](#)).¹⁷²

Fees: Fees which registered **homeopaths** may charge for their services are contained in General Notice 82/2004 ([GG 3189](#)).¹⁷³

Fees which registered **physiotherapists** may charge for their services are contained in General Notice 44/2001 ([GG 2489](#)).¹⁷⁴

Fees which registered **dental technologists** may charge for their services are contained in General Notice 137/2004 ([GG 3231](#)).

¹⁷¹ GN 60/2018 repeals GN 20/2018 ([GG 6527](#)), which in turn repealed GN 158/2014 ([GG 5559](#)).

Note that GG 6527 was initially numbered incorrectly as GG 6528. A corrected version was subsequently issued.

¹⁷² General Notice 495/2020 ([GG 7410](#)) repeals General Notice 487/2019 ([GG 7061](#)), which repeals General Notice 499/2017 ([GG 6489](#)), which repeals General Notice 350/2013 ([GG 5281](#)), which in turn withdraws both General Notice 358/2006 ([OG 3743](#)) and General Notice 306/2010 ([GG 4600](#)) which had amended General Notice 358/2006.

Note that General Notice 499/2017 ([GG 6489](#)) is numbered correctly in the Contents of GG 6489, but misnumbered as General Notice 479 in the text of that *Government Gazette*.

¹⁷³ Such fees were previously contained in General Notice 93/2003 ([GG 2985](#)), General Notice 43/2001 ([GG 2489](#)), and GN 55/1998 ([GG 1817](#)).

¹⁷⁴ Such fees were previously contained in GN 57/1998 ([GG 1819](#)) and GN 41/1997 ([GG 1507](#)).

Appointments and elections: Boards were established under the repealed Allied Health Services Professions Act 20 of 1993 as follows:

- GN 146/1994 ([GG 910](#)) - Clinical Psychology Board
- GN 147/1994 ([GG 910](#)) - Medical Technology Board
- GN 148/1994 ([GG 910](#)) - Occupational Therapy Board
- GN 149/1994 ([GG 910](#)) - Optometric Board
- GN 150/1994 ([GG 910](#)) - Physiotherapy Board
- GN 151/1994 ([GG 910](#)) - Radiography Board
- GN 192/1994 ([GG 950](#)) - Dental Technology Board
- GN 192/1994 ([GG 950](#)) - Medical Assistants and Clinical Officers Board
- GN 49/1996 ([GG 1270](#)) - Health Inspectors Board
- GN 50/1996 ([GG 1270](#)) - Homoeopathic Board
- GN 51/1996 ([GG 1270](#)) - Orthotist Prosthetist Board
- GN 52/1996 ([GG 1270](#)) - Traditional Healers Board
- GN 199/2001 ([GG 2624](#)) - Joint Complimentary Health Professions Board (for the professions of Acupuncturist, Chiropractor, Holistic practitioner, Meridian therapist, Naturopath, Osteopath, Phytotherapist, Therapeutic Aromatherapist, Therapeutic Masseur and Therapeutic Reflexologist)
- GN 199/2001 ([GG 2624](#)) - Joint Allied Health Professions Board (for the professions of Acoustician, Biokinetician, Clinical Technologist, Counselling Psychologist, Dietician, Dental Therapist, Educational Psychologist, Emergency Care Profession, Masseur, Ocularist, Orthotist Prosthetist, Orthotist Prosthetist Assistant, Oral Hygienist, Podiatrist/Chiropodist, Psychometrist and Speech and Audiotherapist)

However, section 4(1) of the current Act states:

The Council [Allied Health Professions Council of Namibia] is for all purposes the successor of the former Dental Technology Board, the former Health Inspectors Board, the former Homoeopathic Board, the former Medical Technology Board, the former Occupational Therapy Board, the former Optometry Board, the former Physiotherapy Board, the former Radiography Board, the former Joint Allied Health Professions Board, and the former Joint Complementary Health Professions Board.

The Social Work and Psychology Council of Namibia established by the Social Work and Psychology Act 6 of 2004 is the successor to the Clinical Psychology Board (section 4(1) of that Act).

There appears to be no successor to the Traditional Healers Board, and the Act has not been made applicable to traditional healers. Regulations on elections to the Traditional Healers Board were made under the Allied Health Services Professions Act 20 of 1993 and are contained in GN 230/1999 ([GG 2214](#)); these regulations have not been repealed. However, annual registration fees were last gazetted for that Board in 1993, in GN 229/2003 ([GG 3092](#)), and the Board no longer seems to be in existence. For this reason, the regulations on elections to this Board have not been included in the database of annotated laws.

An Interim Council was established by GN 218/2004 ([GG 3293](#)). Regulations relating to the first election of the members of the Allied Health Professions Council of Namibia are contained in GN 143/2006 ([GG 3692](#)) and GN 27/2007 ([GG 3795](#)).¹⁷⁵ Further regulations relating to the first election of members are contained in GN 172/2007 ([GG 3861](#)).

The first Allied Health Professions Council is announced in GN 61/2008 ([GG 4008](#)). The terms of office of certain Council members were extended by GN 224/2012 ([GG 5023](#)), GN 69/2013 ([GG 5060](#)) GN 258/2013 ([GG 5303](#)), GN 32/2014 ([GG 5425](#)), GN 154/2014 ([GG 5559](#)), GN 192/2015 ([GG 5818](#)) and GN 221/2016 ([GG 6125](#)). The terms of office of certain members were extended by GN 60/2017 ([GG 6263](#)).

Subsequent to amendments to the Act to provide for the appointment of Council members, appointments

¹⁷⁵ GN 27/2007 ([GG 3795](#)) withdraws the regulations on elections to the various boards which have been replaced by the Allied Health Professions Council of Namibia, with the exception of GN 72/2003 ([GG 2946](#)) – Joint Complimentary Health Professions Board.

are announced in GN 301/2018 ([GG 6770](#)).

Additional information: The Health Professions Councils of Namibia (HPCNA), which includes the Allied Health Professions Council, publishes *Ethical Guidelines for Health Professionals*. The HPCNA also investigates complaints from the public against individual health practitioners. See www.hpcna.com.

Nursing Act 8 of 2004

Summary: This Act ([GG 3249](#)) provides for the establishment of a professional council for the nursing and midwifery or accoucheury professions. (An accoucheur is a male midwife.) It also defines and provides for the registration, enrolment, training and qualifications of members of such professions, and prohibits unregistered persons from practising such professions. The Act was brought into force on 1 October 2004 by GN 213/2004 ([GG 3291](#)).

Repeals: The Act repeals the Nursing Professions Act 30 of 1993 ([GG 764](#)), which repealed the *Nursing Act 50 of 1978* ([RSA GG 5986](#)), as amended, which in turn repealed the *Nursing Act 69 of 1957*, as amended, which in turn repealed the *Nursing Act 45 of 1944*. All of these laws applied to SWA.

Amendments: Act 10/2018 ([GG 6703](#)) amends the Act to make provision for the appointment of members of the Nursing Council.

Savings: Section 65 of this Act includes a savings clause and some related provisions regarding how certain references should be construed:

(2) Unless otherwise provided in this Act, any notice, regulation, rule, authorisation, order or license issued, made or granted, or any removal from the register or roll, or appointment made, or any other act done, or regarded to have been so issued, made, granted or done in terms of a provision of any of the laws repealed by subsection (1), must be regarded as having been issued, made, granted or done in terms of the corresponding provision of this Act, and continues to have force and effect -

- (a) unless it is inconsistent with this Act; or
- (b) until such time as it is set aside or repealed.

(3) For the purposes of subsection (2), the rules referred to in that subsection relating to improper conduct or misconduct must be construed as a reference to rules relating to unprofessional conduct made in terms of this Act.

(4) Any reference in any law to the former Nursing Board referred to in section 64(5) must be regarded, unless the context otherwise indicates, to be a reference to the Council.

The repealed Nursing Professions Act 30 of 1993 contained a similar savings clause in section 54(2) in respect of the *Nursing Act 50 of 1978*:

Any notice, regulation, rule, authorization, order or approval issued, made or granted or any appointment or any other thing done in terms of a provision of any law repealed by subsection (1) shall, except in so far as may be otherwise required by this Act, be deemed to have been issued, made, granted or done under the corresponding or allied provision of this Act.

The repealed *Nursing Act 50 of 1978* contained a similar savings clause in section 46(2) in respect of the *Nursing Act 69 of 1957*:

Any proclamation, notice, regulation, authorization or order issued, made or granted, or any registration or enrolment, or any removal from a register or roll, or any appointment or any other thing done, in terms of a provision of any law repealed by subsection (1) shall, unless inconsistent with any provision of this Act, be deemed to have been issued, made, granted or done under the corresponding provision of this Act.

The repealed *Nursing Act 69 of 1957* contained a similar savings clause in section 57(2) in respect of the *Nursing Act 45 of 1944*:

Any regulation made or anything done under any provision of the Nursing Act, 1944, or of that Act read with the Nursing Council and Board Continuation Act, 1955, or of any law repealed by the Nursing Act,

1944, shall, unless inconsistent with the provisions of this Act, be deemed to have been made or done under the corresponding provision of this Act, and any reference in any such regulation to a chairman or vice-chairman, shall be deemed to be a reference to a president or vice-president.

For the purposes of considering what regulations may survive under the repealed *Nursing Act 69 of 1957*, note that section 58 of that Act states:

This Act and any amendment thereof shall apply also in the territory, including the Eastern Caprivi Zipfel: Provided that **only such regulations as are expressly stated to apply in the said territory shall so apply therein.**

For the purposes of considering what regulations may survive under the repealed *Nursing Act 50 of 1978* ([RSA GG 5986](#)), note that sections 1 to 37 and 39 to 47 of the said Act came into operation with effect from 28 July 1978 (RSA GN R.197/1978, [RSA GG 6120](#)), while section 38 (concerning the South African Nursing Association) came into operation with effect from 30 April 1982 (RSA GN R.72/1982, [RSA GG 8177](#)). The Act was applied to SWA by RSA Proc. R.163/1982. The relevant transfer proclamation is the Executive Powers (Health) Transfer Proclamation, AG 14 of 1977, dated **1 December 1977**.

Regulations: Pre-independence regulations made under the *Nursing Act 45 of 1944* are still being researched.

Surviving regulations made under the Nursing Professions Act 30 of 1993 are as follows:

Registration and enrolment: Regulations relating to registration and enrolment are contained in GN 11/1999 ([GG 2040](#)) (which repeals a long list of regulations promulgated in RSA Government Notices);¹⁷⁶ Part II of GN 11/1999 is repealed by GN 250/2008 ([GG 4140](#)).

Complaints Regulations relating to the lodging of complaints and the conducting of enquiries are contained in GN 12/1999 ([GG 2040](#)).¹⁷⁷

Impaired persons: Regulations relating to Impaired Registered Persons are contained in GN 300/2013 ([GG 5339](#)).

Courses of study: Regulations relating to courses of study which have not been repealed are contained in the following:

- Advanced University Diploma in Operating Room Nursing Science – GN 14/1999 ([GG 2040](#))¹⁷⁸
- Diploma in Ophthalmological Nursing – GN 15/1999 ([GG 2040](#))¹⁷⁹
- Advanced University Diploma in Health Promotion, Clinical Diagnosis and Treatment – GN 17/1999 ([GG 2042](#))
- Diploma in Midwifery for Registration as a Midwife – GN 67/1999 ([GG 2083](#))
- Advanced University Diploma in Nursing Education – GN 194/2000 ([GG 2392](#))
- Nurse and Midwife – GN 195/2000 ([GG 2392](#))
- Advanced University Diploma in Critical Care Nursing – GN 196/2000 ([GG 2392](#)).¹⁸⁰

Regulations issued under this Act are as follows:

Registration as nurse, midwife or accoucheur specialist: Regulations relating to the

¹⁷⁶ These regulations repeal the regulations in RSA Government Notices R.3588/1969, R.3589/1969, R.3735/1969, R.3736/1969, R.170/1971, R.171/1971, R.1201/1972, R.1204/1972, R.1205/1972, R.1206/1972, R.1207/1972, R.772/1973, R.773/1973, R.1267/1973, R.1647/1974, R.1648/1974, R.1854/1976, R.1855/1976 and R.1856/1976.

¹⁷⁷ These regulations repeal RSA Government Notices R.373/1970, R.1737/1972 and R.1707/1974.

¹⁷⁸ This notice repeals RSA Government Notice R.44/1970.

¹⁷⁹ This notice repeals RSA Government Notices R.83/1970, R.265/1975 and R.1578/1977.

¹⁸⁰ This notice repeals RSA Government Notice R.85/1970.

minimum requirements for study as registration as a nurse or midwife are contained in GN 143/2008 ([GG 4068](#)), which repeals GN 193/2000 ([GG 2392](#)). Regulations relating to approval of minimum requirements for education and training leading to bachelor's degree in nursing and midwifery science for registration as a nurse and midwife or accoucheur are contained in GN 182/2017 ([GG 6361](#)). Regulations relating to the registration of nurses, midwives and accoucheur specialities are contained in GN 220/2017 ([GG 6390](#)), replacing GN 250/2008 ([GG 4140](#)) which had in turn repealed Part II of GN 11/1999 ([GG 2040](#)).

Dermatology: Regulations relating to a diploma course in dermatology are contained in GN 142/2008 ([GG 4068](#)).

Midwives: Regulations concerning the conditions of practice of midwives are contained in GN 178/2009 ([GG 4332](#)).¹⁸¹

Appeals: Regulations relating to appeals and the conducting of appeals by the Appeal Committee of the Nursing Council are contained in GN 117/2009 ([GG 4264](#)).

Continuing professional development: Regulations relating to the continuing professional development of persons registered or enrolled under the Act are contained in GN 15/2011 ([GG 4656](#)).

Scope of practice: Regulations relating to the scope of practice are contained in GN 206/2014 ([GG 5591](#)), which withdraws GN 13/1999 ([GG 2040](#)).

Conditions of practice: Regulations concerning conditions subject to which registered or enrolled persons may conduct practices relating to their professions are contained in GN 293/2019 ([GG 7011](#)).

Uniforms, badges, etc: Regulations relating to uniforms, badges and other distinguishing devices for nurses are contained in GN 17/2019 ([GG 6836](#)).¹⁸²

Courses of study: Regulations on minimum requirements for education and training for a diploma in nursing and midwifery science and for registration as nurse, midwife or accoucheur are contained in GN 18/2019 ([GG 6836](#)).¹⁸³

General: Regulations concerning allowances payable to members of the Council are contained in GN 291/2015 ([GG 5899](#)), which withdraws GN 146/2008 ([GG 4068](#)). Regulations concerning additional examinations by the Council are contained in GN 149/2009 ([GG 4302](#)). Regulations on the maximum fine that may be imposed by the Council or the Professional Conduct Committee are contained in GN 21/2018 ([GG 6527](#)).¹⁸⁴

Note that GG 6527 was initially numbered incorrectly as GG 6528. A corrected version was subsequently issued.

Rules: Rules concerning misconduct are contained in GN 10/1999 ([GG 2040](#)).¹⁸⁵

Registration fees: Fees payable to the Nursing Council are contained in General Notice 595/2023 ([GG](#)

¹⁸¹ This notice repeals the regulations published in RSA Government Notices R.954/1963, R.1886/1974 and R.1784/1975.

¹⁸² This notice repeals GN 56/1999 ([GG 2077](#)), as amended by GN 116/2009 ([GG 4264](#)).

¹⁸³ GN 18/2019 repeals GN 55/1999 ([GG 2077](#)), which in turn repealed RSA Government Notices R.879/1975, R.2316/1975 and R.1570/1977.

¹⁸⁴ GN 21/2018 repeals GN 156/2014 ([GG 5559](#)).

¹⁸⁵ This notice repeals RSA Government Notices R.1648/1973, R.1649/1973 and R.1650/1973.

[8220](#)), which repeals General Notice 489/2019 ([GG 7061](#)).¹⁸⁶

Appointments and elections: Regulations relating to the first election of the members of the Nursing Council of Namibia are contained in GN 145/2006 ([GG 3694](#)) and GN 23/2007 ([GG 3795](#)). Both of these withdraw GN 223/1999 (relating to the previous Nursing Board). Further regulations relating to the first election of the members of the Nursing Council of Namibia are contained in GN 171/2007 ([GG 3861](#)).

The first Nursing Council is announced in GN 60/2008 ([GG 4008](#)), replacing the Interim Council established by GN 219/2004 ([GG 3293](#)). The terms of office of certain Council members were extended by GN 221/2012 ([GG 5023](#)), GN 71/2013 ([GG 5060](#)), GN 259/2013 ([GG 5303](#)), GN 30/2014 ([GG 5425](#)), GN 152/2014 ([GG 5559](#)), GN 191/2015 ([GG 5818](#)) and GN 222/2016 ([GG 6125](#)). The terms of office of certain members were extended by GN 57/2017 ([GG 6263](#)).

Subsequent amendments to the Act to provide for the appointment of Council members, appointments are announced in GN 299/2018 ([GG 6770](#)).

Additional information: The Health Professions Councils of Namibia (HPCNA), which includes the Nursing Council, publishes *Ethical Guidelines for Health Professionals*. The HPCNA also investigates complaints from the public against individual health practitioners. See www.hpcna.com.

Pharmacy Act 9 of 2004

Summary: This Act ([GG 3250](#)) provides for the establishment of a professional council for the pharmacy profession. It also defines and provides for the registration, training and qualifications of members of pharmacists, pharmacist interns, pharmacy students, pharmacists' assistants and pharmaceutical technicians, and prohibits unregistered persons from practising in the pharmacy profession. It was brought into force on 1 October 2004 by GN 214/2004 ([GG 3291](#)).

Repeals: The Act repeals the Pharmacy Profession Act 23 of 1993 ([GG 713](#)), which in turn repealed the *Pharmacy Act 53 of 1974*, as amended.

Amendments: Act 11/2018 ([GG 6704](#)) amends the Act to make provision for the appointment of members of the Pharmacy Council.

Savings: Section 72 includes a savings clause and some related provisions regarding how certain references should be construed:

(2) Except as otherwise provided in section 71, any notice, regulation, rule, authorisation or order issued, made or granted, or any removal from the register, appointment or any other act done, or regarded to have been issued, made, granted, or done under or in terms of a provision of the laws repealed by subsection (1) must be regarded as having been issued, made, granted, or done under the corresponding provision of this Act and continues to have force and effect -

(a) except if it is inconsistent with this Act; or

(b) until it is set aside or repealed.

(3) For the purposes of subsection (2), any rules referred to in that subsection relating to improper conduct or misconduct must be construed as a reference to rules relating to unprofessional conduct.

(4) Any reference to the former Pharmacy Board in any law must be regarded, unless the context otherwise indicates, to be a reference to the Council.

¹⁸⁶ General Notice 489/2019 ([GG 7061](#)) repeals General Notice 500/2017 ([GG 6489](#)), which repeals General Notice 351/2013 ([GG 5281](#)), which in turn withdraws both General Notice 357/2006 ([OG 3743](#)) and General Notice 308/2010 ([GG 4600](#)).

Note: General Notice 18/2007 ([GG 3788](#)) amends General Notice 357/2006 ([GG 3743](#)), but was not withdrawn along with the principal notice by General Notice 351/2013 ([GG 5281](#)); however, it has no independent effect or relevance.

The Pharmacy Profession Act 23 of 1993 contains a similar saving clause in section 57(2) with respect to the *Pharmacy Act 53 of 1974*.

Any notice, regulation, rule, authorization, order or approval issued, made or granted or any appointment, agreement, or any other thing done in terms of a provision of any law repealed by subsection (1) shall, except in so far as may be otherwise required by this Act, be deemed to have been issued, made, granted or done under the corresponding or allied provisions of this Act.

Regulations: Research on pre-independence regulations is still underway. The following regulations made under the *Pharmacy Act 53 of 1974* appear to survive, although they may be superseded by more recent legislation. These have not yet been processed for the database.

Regulations relating to **conduct of business of board and keeping of accounts** are contained in RSA GN 215/78 ([RSA GG 5875](#)) as amended by RSA GN 2108/1981 ([RSA GG 7820](#)), RSA GN 1171/1982 ([RSA GG 8257](#)), RSA GN 1180/1984 ([RSA GG 9257](#)) and RSA GN 2738/1985 ([RSA GG 10036](#)).

Regulations relating to the **procedure for applying for the registration of a body corporate and its managing director** are contained in RSA GN 1489/1975 ([RSA GG 4806](#)).

Regulation relating to **registers of shareholders and directors of bodies corporate carrying on business as retail pharmacists** are contained in RSA GN 348/1975 ([RSA GG 4594](#)).

The following regulations made under the Pharmacy Profession Act 23 of 1993 appear to survive. These have not yet been processed for the database.

Regulations relating to **fees** are contained in GN 120/1996 ([GG 1312](#)), as amended by GN 106/2003 (GG 2985).

Regulations relating to the **election of members to the Pharmacy Board** are contained in GN 226/1999 ([GG 2214](#)).

Regulations made under this Act are as follows:

Study, registration and scope of practice: Minimum requirements of study for registration as a pharmacist are contained in GN 221/2007 ([GG 3945](#)). Minimum requirements of study for registration as a pharmaceutical technician are contained in GN 18/2017 ([GG 6230](#)). Regulations relating to the registration of pharmacists and pharmacist interns and the qualifications for specialities are contained in GN 51/2008 ([GG 4000](#)), which repeals the regulations in RSA GN R.1417/1975 ([RSA GG 4806](#)). Additional examinations are covered by regulations contained in GN 278/2010 ([GG 4633](#)). Regulations relating to the scope of practice of a pharmacist, pharmaceutical technician, pharmacist intern, pharmacy student, pharmacist's assistant and pharmacist's assistant student are contained in GN 294/2017 ([GG 6470](#)).

Impaired persons: Regulations relating to Impaired Registered Persons are contained in GN 303/2013 ([GG 5342](#)).

Ownership of pharmacies by private hospitals: Regulations relating to the ownership of pharmacies by private hospitals were initially are contained in GN 198/2008 ([GG 4103](#)), which was repealed and replaced by GN 101/2014 ([GG 5515](#)).

Wholesale pharmacists: Regulations relating to the conducting of business as a wholesale pharmacist are contained in GN 9/2022 ([GG 7728](#)).

General: Regulations concerning allowances payable to members of the Council are contained in GN 290/2015 ([GG 5899](#)), which withdraws GN 147/2008 ([GG 4068](#)).

Regulations relating to continuing professional development are contained in GN 90/2010 ([GG 4482](#)).

Regulations governing the return to practice after a period of not practising are contained in GN 279/2010 ([GG 4633](#)).

Regulations on appeals are contained in GN 280/2010 ([GG 4633](#)).

Regulations on the maximum fine that may be imposed by the Council or the Professional Conduct Committee are contained in GN 61/2018 ([GG 6564](#)), which repeals GN 22/2018 ([GG 6527](#)), which in turn repealed GN 159/2014 ([GG 5559](#)).

Note that GG 6527 was initially numbered incorrectly as GG 6528. A corrected version was subsequently issued.

Regulations relating to the investigation of alleged unprofessional conduct by registered persons and professional conduct inquiries are contained in GN 289/2015 ([GG 5898](#)), as amended by GN 237/2016 ([GG 6135](#)).

GN 237/2016 amends the enabling formula contained in GN 289/2015, rather than amending the regulations themselves. GN 289/2015 initially stated that the regulations were made under section 66(5) of the Pharmacy Act 9 of 2004. The enabling formula is substituted by GN 237/2016, to state that the regulations were made under section 66(1)(s) of the Pharmacy Act 9 of 2004.

Rules: The following rules were issued under the previous Act –

Rules in respect of misconduct are contained in GN 299/1996 ([GG 1444](#)). (Note that section 72(3) of this Act states: “For the purposes of subsection (2) [the savings clause], any rules referred to in that subsection relating to improper conduct or misconduct must be construed as a reference to rules relating to unprofessional conduct.”)

The following rules were made under this Act –

Rules relating to the qualification and registration of a pharmacist’s assistant are contained in General Notice 426/2017 ([GG 6456](#)), which repeals GN 263/2014 ([GG 5644](#)), which withdraws the rules published in General Notice 4/2013 ([GG 5119](#)).

Registration fees: Fees payable to the Pharmacy Council are set by General Notice 596/2023 ([GG 8220](#)), which repeals General Notice 69/2022 ([GG 7754](#)).¹⁸⁷

Appointments and elections: Regulations relating to the first election of the members of the Pharmacy Council of Namibia are contained in GN 144/2006 ([GG 3693](#)) and GN 24/2007 ([GG 3795](#)). Both of these withdraw GN 226/1999, relating to the previous body. Further regulations relating to the first election of the members of the Pharmacy Council of Namibia are contained in GN 170/2007 ([GG 3861](#)).

Members of the first Pharmacy Council are announced in GN 270/2008 ([GG 4166](#)). The terms of office of certain Council members were extended by GN 225/2012 ([GG 5023](#)), GN 70/2013 ([GG 5060](#)), GN 257/2013 ([GG 5303](#)), GN 28/2014 ([GG 5425](#)), GN 153/2014 ([GG 5559](#)), GN 190/2015 ([GG 5818](#)) and GN 223/2016 ([GG 6125](#)). The terms of office of certain members were extended by GN 56/2017 ([GG 6263](#)).

Subsequent to amendments to the Act to provide for the appointment of Council members, appointments are announced in GN 300/2018 ([GG 6770](#)).

¹⁸⁷ Previous fees were contained in General Notice 497/2020 ([GG 7410](#)), General Notice 490/2019 ([GG 7061](#)), General Notice 497/2017 ([GG 6489](#)), General Notice 352/2013 ([GG 5281](#)), and General Notice 67/2007 ([GG 3804](#)) as amended by General Notice 174/2008 ([GG 4068](#)), General Notice 309/2010 ([GG 4600](#)) and General Notice 386/2012 ([GG 5069](#)). All of these have been repealed, withdrawn or superseded.

Additional information: The Health Professions Councils of Namibia (HPCNA), which includes the Pharmacy Council, publishes *Ethical Guidelines for Health Professionals*. The HPCNA also investigates complaints from the public against individual health practitioners and pharmacies. See www.hpcna.com.

Medical and Dental Act 10 of 2004

Summary: This Act ([GG 3251](#)) provides for the establishment of a professional council for the medical and dental professions. It also defines and provides for the registration, training and qualifications of members of these professions, and prohibits unregistered persons from practising such professions. It was brought into force on 1 October 2004 by GN 215/2004 ([GG 3291](#)).

Repeals: The Act repeals the Medical and Dental Professions Act 21 of 1993 ([GG 711](#)) as amended, and the Allied Health Services Professions Act 20 of 1993 ([GG 710](#)) insofar as it relates to the professions regulated by this Act.

The Medical and Dental Professions Act 21 of 1993 repealed the *Medical, Dental and Supplementary Health Service Professions Act 56 of 1974* and the Health Service Professions Proclamation, AG 70 of 1989.

The *Medical, Dental and Supplementary Health Service Professions Act 56 of 1974* ([RSA GG 4445](#)), which applied to SWA and which was brought into force by RSA Proc. R.52/1975 ([RSA GG 4594](#)), repealed the *Medical, Dental and Pharmacy Act 13 of 1928* ([SA GG 1706](#)) and its amending acts – with the exception of sections 83 and 83bis.¹⁸⁸

Sections 83 and 83bis of that Act were repealed in South Africa by the *Health Act 63 of 1977* ([RSA GG 5558](#)). The relevant section of this repealing act came into force on 1 September 1977 (RSA Proc. R.175/1977, [RSA GG 5716](#)), prior to the relevant date of transfer, which was 1 December 1977). Therefore, the RSA *Health Act 63 of 1977* (although not made generally applicable to SWA) would appear to have repealed the remaining sections of *Act 13 of 1928* in SWA by virtue of the wording of section 99 of *Act 13 of 1928*, which provided that the “mandated territory of South West Africa” was to be deemed to be a province of South Africa for all purposes of the Act – except for the purposes of paragraph (b) of the proviso to section 2(4), which concerned representation on the council established by the Act.

The RSA *Health Act 63 of 1977* contained a savings clause in section 63(2),¹⁸⁹ but this would not seem to be relevant to South West Africa since the RSA *Health Act 63 of 1977* did not in itself apply to South West Africa. The *Medical, Dental and Supplementary Health Service Professions Act 56 of 1974* contained a savings clause in section 64(2), but this would also not seem to be relevant since this Act did not repeal section 83bis which was the authority for these regulations.

The date of transfer for South African laws administered by the Minister of Health was 1 December 1977, pursuant to the Executive Powers (Health) Transfer Proclamation, AG 14 of 1977.

¹⁸⁸ Section 83bis was inserted by Act 29 of 1954 ([SA GG 5293](#)), substituted by Act 11 of 1957 ([SA GG 5842](#)), and amended by Act 31 of 1961 ([RSA GG 31](#)).

¹⁸⁹ “Any proclamation, regulation, rule, order, notice, approval, authority, return, certificate, direction or appointment made, issued, given or granted, and any other act done under the provisions of any law repealed by this Act, shall be deemed to have been made, issued, given or granted or done under the corresponding provision of this Act.”

GN 215/2004, which brought the Act into force, was arguably withdrawn by GN 142/2006 ([GG 3691](#)) and again by GN 26/2007 ([GG 3795](#)). However this appears to be an error.

GN 142/2006 ([GG 3691](#)) and GN 26/2007 ([GG 3795](#)), both of which pertain to the first election of the Social Work and Psychology Council, withdraw “Government Notices Nos. 215 and 229 of 20 October 2004”. However, there were no Government Notices with these numbers gazetted on that date. GN 215/2004, which deals with the commencement of this Act, was gazetted on 1 October 2004 ([GG 3291](#)), and GN 229/2004, which deals with final deregistration of companies, was gazetted on 21 October 2004. It is unlikely that the regulations intended to withdraw either of these notices.

It is possible that GN 215/1999 ([GG 2214](#)) was intended for withdrawal, instead of GN 215/2004. This is because GN 215/1999 is concerned with regulations relating to the election of members to the Clinical Psychology Board under the Allied Health Services Professions Act 20 of 1993 (now repealed). This is relevant to the subject matter of GN 142/2006 ([GG 3691](#)) and GN 27/2007 ([GG 3795](#)). For the same reason, it is likely that GN 229/1999 ([GG 2214](#)), instead of GN 229/2004, was intended for repeal, since it is concerned with regulations relating to the election of members to the Social and Social Auxiliary Workers’ Board under the Social and Social Auxiliary Workers’ Professions Act 22 of 1993.

Since there are no government notices which match both the indicated numbers and dates given, the withdrawal is presumably legally ineffective.

Amendments: Act 9/2018 ([GG 6702](#)) amends the Act to make provision for the appointment of members of the Medical and Dental Council.

Savings: Section 65 includes a savings clause and some related provisions regarding how certain references should be construed:

(2) Unless otherwise provided in this Act, any notice, regulation, rule, authorisation or order issued, made or granted, or any removal from the register or appointment made, or any other act done, or regarded to have been so issued, made, granted or done in terms of a provision of any of the laws repealed by subsection (1), must be regarded as having been issued, made, granted or done in terms of the corresponding provision of this Act, and continues to have force and effect -

- (a) unless if it is inconsistent with this Act; or
- (b) until such time as it is set aside or repealed.

(3) For the purposes of subsection (2), the rules referred to in that subsection relating to improper conduct or misconduct must be construed as a reference to rules relating to unprofessional conduct made in terms of this Act.

(4) Any reference in any law to any of the former Boards referred to in section 64(5) must be regarded, unless the context otherwise indicates, to be a reference to the Council.

The Medical and Dental Professions Act 21 of 1993 ([GG 711](#)) contained a savings clause in section 56(2), and the *Medical, Dental and Supplementary Health Service Professions Act 56 of 1974* ([RSA GG 4445](#)) contained a savings clause in section 64(2).

The *Health Act 63 of 1977* ([RSA GG 5558](#)) (which repealed two provisions of the *Medical, Dental and Pharmacy Act 13 of 1928* authorising regulations) contained a savings clause in section 63(2), but the Act was not generally applicable to SWA so that savings clause would not seem to apply to SWA.

Regulations: Pre-independence regulations have not yet been comprehensively researched.

However, amongst the regulations which may survive are the following, which were issued in terms of the *Medical, Dental and Pharmacy Act 13 of 1928*:

Blood Transfusion Regulations, 1962, RSA GN R.1950/1962 ([RSA GG 385](#), republished in OG 2440A), made in terms of section 83*bis* and amended by RSA GN R.66/1969 ([RSA GG 2265](#), republished in OG 2966) RSA GN R.278/1971 ([RSA GG 3002](#)), RSA GN R.2060/1972 ([RSA GG 3704](#)), RSA GN R.2354/1975 ([RSA GG 4922](#)) and AG GN 31/1979 ([OG 3952](#)).¹⁹⁰

¹⁹⁰ These regulations replace the ones in SA GN R.699 of 20 May 1960 as amended.

Therapeutic Substances Regulations, RSA GN R.740/1966 ([RSA GG 1445](#)), made in terms of section 83, as amended by GN R.739/1971 ([RSA GG 3090](#)).¹⁹¹

Regulations issued under the *Medical, Dental and Supplementary Health Service Professions Act 56 of 1974* have been superseded by post-independence regulations, but the following may still survive.

Regulations relating to **food inspectors** are contained in RSA GN 2371/1976 ([RSA GG 5349](#)) (not yet processed for the database).

Surviving post-independence regulations made under the Medical and Dental Professions Act 21 of 1993 repealed by this Act are as follows:

Misconduct: Regulations relating to complaints and disciplinary inquiries by the Medical Board are contained in GN 31/2001 ([GG 2489](#)) (which repeals RSA GN R.2268 of 3 December 1976).

Regulations regarding the procedures at disciplinary hearings by the Dental Board are contained in GN 222/2003 ([GG 3085](#)).

Section 65(3) of this Act states: “For the purposes of subsection (2) [the savings clause], the rules referred to in that subsection relating to improper conduct or misconduct must be construed as a reference to rules relating to unprofessional conduct made in terms of this Act.”

The regulations below were promulgated under the current Act:

Biomedical engineers: Regulations relating to the minimum requirements of study, registration, and scope of practice in respect of biomedical engineers are contained in GN 277/2018 ([GG 6744](#)).

Clinical biochemists: Regulations relating to the minimum requirements of study for registration as a clinical biochemist are contained in GN 125/2010 ([GG 4503](#)). Regulations on the scope of practice of clinical biochemists are contained in GN 124/2010 ([GG 4503](#)). Additional regulations pertaining to clinical biochemists are contained in GN 126/2010 ([GG 4503](#)).

The background to and interpretation of regulation 10(c) in GN 126/2010 are considered in the context of assessment of prospects of success in an application for condonation in *Kandando v Medical and Dental Council of Namibia & Another* 2020 (2) NR 450 (SC).

Clinical officers: Minimum requirements of study for registration and registration of clinical officers and clinical officer interns are contained in GN 24/2015 ([GG 5680](#)).

Dental professions: Regulations on conditions applicable to practice as a dentist, dentist specialist or oral hygienist are contained in GN 80/2005 ([GG 3460](#)). Regulations relating to the qualifications for registration of dentists, minimum curriculum requirements for the study of dentistry and professional examinations for dentists are contained in GN 51/2006 ([GG 3595](#)). Regulations relating to the registration of dentists are contained in GN 155/2008 ([GN 4068](#)), as amended by GN 33/2017 ([GG 6249](#)).¹⁹² Regulations relating to the registration of dental interns are contained in GN 121/2016 ([GG 6031](#)). Regulations relating to the registration of dental students are contained in GN 32/2017 ([GG 6249](#)). Regulations relating to the scope of practice of dentists are contained in GN 34/2017 ([GG 6249](#)). Regulations relating to the scope of practice of dental technologists and dental technicians are contained in GN 10/2022 ([GG 7728](#)).

¹⁹¹ These regulations replace the ones in SA GN 1131 of 9 August 1935 as amended.

¹⁹² GN 155/2008 ([GN 4068](#)) repeals certain South African regulations insofar as they apply to dentists: RSA GN Nos R. 2269, 2273, 2274, 2275, 2276, 2277 and 2278 of 3 December 1976 and R.1829 of 16 September 1977.

Medical biological scientists: Regulations relating to the minimum requirements of study for registration as a medical biological scientist are contained in GN 49/2011 ([GG 4699](#)). Regulations relating to the registration and additional qualifications of medical biological scientists and medical biological scientist interns are contained in GN 48/2011 ([GG 4699](#)).

Medical scientists: Regulations relating to the minimum requirements of study for registration as a medical scientist and the scope of practice of medical scientists are contained in GN 328/2022 ([GG 7936](#)).

Medical students: Regulations relating to the registration of medical students, the maintaining of a register of medical students and the restoration of a name to a register are contained in GN 120/2016 ([GG 6031](#)), which withdraws GN 237/2000 ([GG 2415](#)) (which in turn repealed RSA GN R.2269 and R.2270 of 3 December 1976).

Medical interns: Regulations relating to the registration of medical interns were originally set out in GN 8/2007 ([GG 3783](#)), which withdraw regulations 15-18 and 20 published in GN 238/1999 ([GG 2222](#)). GN 8/2007 was repealed by GN 84/2020 ([GG 7147](#)), which contained new regulations relating to the registration of medical interns. GN 84/2020 was repealed by GN 317/2020 ([GG 7419](#)), which contains new regulations relating to the registration of medical interns.

Medical physicist: Regulations relating to minimum requirements of study of medical physicists, registration of interns, restoration of name to the register and scope of practice of medical physicists are contained in GN 52/2020 ([GG 7128](#)).

Medical practitioners: Regulations concerning the minimum requirements of study for registration as a medical practitioner are contained in GN 277/2017 ([GG 6442](#)), which repeals GN 177/2009 ([GG 4332](#)). Regulations relating to the scope of practice of medical practitioners are contained in GN 35/2017 ([GG 6249](#)). Regulations relating to registration of medical practitioners, qualifications that may be registered as specialities and maintaining of registers of medical practitioners are contained in GN 88/2022 ([GG 7769](#)), which repeals GN 278/2017 ([GG 6442](#)).¹⁹³

Oral hygienists: Regulations relating to the minimum requirements of study for registration as an oral hygienist are contained in GN 144/2008 ([GG 4068](#)). Regulations relating to the registration of oral hygienists are contained in GN 145/2008 ([GG 4068](#)). Regulations related to the scope of practice of oral hygiene are contained in GN 197/2008 ([GG 4103](#)), as amended by GN 210/2015 ([GG 5831](#)).

Ophthalmic assistants: Regulations relating to minimum requirements and registration of ophthalmic assistants, additional qualifications, maintaining of registers and restoration of a name to a register and scope of practice are contained in GN 130/2022 ([GG 7795](#)).

General: Regulations concerning allowances payable to members of the Council are contained in GN 293/2015 ([GG 5899](#)), which withdraws GN 150/2008 ([GG 4068](#)).

Regulations concerning additional examinations which may be conducted by the Council are contained in GN 259/2008 ([GG 4150](#)).

Regulations relating to appeals and the conducting of appeals by the Appeal Committee of the Medical and Dental Council are contained in GN 41/2009 ([GG 4232](#)).

¹⁹³ Previous regulations concerning the registration of medical practitioners and specialities were contained in GN 278/2017 ([GG 6442](#)), which repealed GN 71/2010 ([GG 4455](#)), which in turn repealed the regulations contained in GN 238/1999 ([GG 2222](#)).

Regulations concerning the conditions of practice of registered persons other than those in dental professions are contained in GN 176/2009 ([GG 4332](#)).

Regulations relating to continuing professional development are contained in GN 92/2010 ([GG 4482](#)).

Regulations relating to impaired registered persons are contained in GN 299/2013 ([GG 5338](#)).

Regulations on the maximum fine that may be imposed by the Council or the Professional Conduct Committee are contained in GN 62/2018 ([GG 6564](#)), which repeals GN 23/2018 ([GG 6527](#)), which in turn repealed GN 155/2014 ([GG 5559](#)).

Note that GG 6527 was initially numbered incorrectly as GG 6528. A corrected version was subsequently issued.

Regulations relating to conditions under which registered persons may conduct practices relating to their professions are contained in GN 61/2017 ([GG 6263](#)).

Regulations relating to the practical training of medical students and dental students are contained in GN 279/2017 ([GG 6444](#)).

Rules: In terms of section 65(2), any rule, notice, authorization, or order made under any one of the pieces of legislation repealed by the Act remains in force insofar as it is not inconsistent with the Act. Rules made under the repealed laws which continue to survive include the following –

Rules relating to misconduct in respect of the dental profession are contained in GN 151/2001 ([GG 2590](#)), as amended by GN 218/2001 ([GG 2637](#)), which repeals the rules in RSA GN R.2278 of 3 December 1976 insofar as they relate to the dental profession.

Rules relating to misconduct in respect of the medical profession are contained in GN 197/2002 ([GG 2851](#)) as amended by GN 87/2004 ([GG 3198](#)), which repeals the rules in RSA GN R.2278 of 3 December 1976 insofar as they relate to medical practitioners.

Registration fees: Fees payable to the Medical and Dental Council are contained in General Notice 594/2023 ([GG 8220](#)), which repeals General Notice 498/2020 ([GG 7410](#)).¹⁹⁴

Fees: A tariff of fees which may be charged by registered dentists is contained in General Notice 302/2003 ([GG 3085](#)) which repeals General Notice 381/2002 ([GG 2880](#)).

Appointments and elections: Regulations relating to the first election of the Medical and Dental Council of Namibia are contained in GN 146/2006 ([GG 3695](#)) and GN 25/2007 ([GG 3795](#)). Both of these withdraw GN 216/1999, 220/1999 and 221/1999, relating to previous bodies. The first Medical and Dental Council is announced in GN 59/2008 ([GG 4008](#)), replacing the Interim Council established by GN 220/2004 ([GG 3293](#)). The terms of office of certain Council members were extended by GN 222/2012 ([GG 5023](#)), GN 72/2013 ([GG 5060](#)), GN 256/2013 ([GG 5303](#)), GN 29/2014 ([GG 5425](#)), GN 151/2014 ([GG 5559](#)) GN 189/2015 ([GG 5818](#)) and GN 224/2016 ([GG 6125](#)). The terms of office of certain members were extended by GN 58/2017 ([GG 6263](#)).

Subsequent amendments to the Act to provide for the appointment of Council members, appointments

¹⁹⁴ General Notice 498/2020 ([GG 7410](#)) repeals General Notice 347/2020 ([GG 7317](#)), which repeals General Notice 491/2019 ([GG 7061](#)), which repeals General Notice 501/2017 ([GG 6489](#)), which repeals General Notice 285/2013 ([GG 5252](#)).

Prior to the enactment of this law, regulations on fees payable to the Council were contained in GN 223/2003 ([GG 3086](#)); annual fees were determined in terms of those regulations in GN 230/2003 ([GG 3092](#)). The regulations on fees in GN 223/2003 were withdrawn by General Notice 8/2007 ([GG 3771](#)), which was amended by General Notice 307/2010 ([GG 4600](#)). Both of these General Notices were withdrawn and replaced by General Notice 285/2013 ([GG 5252](#)).

are announced in GN 297/2018 ([GG 6770](#)).

Additional information: The Health Professions Councils of Namibia (HPCNA), which includes the Medical and Dental Council, publishes *Ethical Guidelines for Health Professionals*. The HPCNA also investigates complaints from the public against individual health practitioners. See www.hpcna.com.

Cases: *Kandando v Medical and Dental Council of Namibia & Another* 2020 (2) NR 450 (SC) (regulations relating to clinical biochemists in GN 126/2010 ([GG 4503](#)); background to and interpretation of regulation 10(c) in GN 126/2010 considered in the context of assessment of prospects of success in an application for condonation).

See also Veterinary and Veterinary Para-Professions Act 1 of 2013 (**ANIMALS**).

See also **HEALTH**.

See also **HOSPITALS**.

See also Namibia Qualifications Authority Act 29 of 1996 (occupational standards) (**EDUCATION**).

See also **MEDICAL AID**.

See also **MEDICINE**.

See also **MENTAL HEALTH AND MENTAL DISORDERS**.